

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
ORDINANCE COMMITTEE
MINUTES OF PUBLIC MEETING**

DATE.....April 7, 2004
TIME.....4:30 P.M.
PLACE.....COUNTY
OFFICE BLDG.
20 N. 3RD STREET
LAFAYETTE IN 47901

MEMBERS PRESENT	MEMBERS ABSENT	NON-VOTING	STAFF PRESENT
Steve Schreckengast	David Williams		Sallie Fahey
Mark Hermodson	KD Benson		Margy Deverall
Gary Schroeder			Jay Seeger
Dr. Carl Griffin			
Robert Bowman			

Mark Hermodson called the meeting to order.

I. APPROVAL THE MINUTES

Steve Schreckengast moved to approve the minutes of the April 7, 2004 meeting. Carl Griffin seconded and motion carried by voice vote.

II. CONTINUE DISCUSSION ABOUT POSSIBLE CHANGES TO THE R1 ZONES (INCLUDING R1A, R1B and R1C).

Margy Deverall presented a chart of proposed changes to the zones. She mentioned that the staff and development community are in agreement that the R1, R1A, R1B and R1U should all be reviewed together. She said that when the 10-20% frontage reduction allowance was removed from the old ordinance, a lot more problems were created for the developers. She stated that the R2, R1C, R1Z and R3 should be looked at separately. She pointed out the last column of the chart and reviewed all the issues on which there was consensus.

William Davis, TBird Design, 4720 South 100 West Lafayette, IN, stated that he felt the work session was very productive. He said that the biggest issue remaining was the lot frontage on cul-de-sacs. He passed out and reviewed 3 different examples of how this proposed change would affect existing cul-de-sacs. He explained that in the first example, the cul-de-sacs setbacks were able to move forward, creating more backyard space and did not change the number of lots or square footage of the lots. He mentioned that one of the staff's concerns was that these changes would allow higher densities. He explained that even though a higher density might happen one day, it did not happen in any of the three examples he was presenting. He presented the second example and explained that the lot lines were moved forward, backyard space was increased and square footage was not increased. He reviewed the third example and pointed out that the changes were very subtle, but made them backyard friendly and more useable lots.

Opal Kuhl, Lafayette City Engineer, stated that she and her staff have reviewed the examples and concur that this is a workable idea and had many advantages. She said that she did not feel that this was lowering the standards, but only giving more flexibility.

Sallie Fahey stated one concern she had was that even though backyard space was gained the sacrifice was the size of the house. She pointed out that the three houses in the last example were substantially smaller because the lot was narrower. She mentioned that it could make the house very different from the other houses in the development.

Steve Schreckengast stated that one problem with having a 75' front and pushing the house back results in a banana driveway.

Sallie Fahey asked if that problem would result with narrow lots anyway.

Steve Schreckengast replied that it would not happen if the garage were up front and properly designed. He mentioned that a 60' setback would warrant a 48' wide house with a 6' side yard.

Sallie Fahey used the examples to point out that some lots would not be able to have a straight driveway. She stated that by making the lots narrower there would be more driveway problems.

William Davis used the example of Shawnee Ridge to show that all of the lots had an even dimension across the front, which made all of the house look similar. He mentioned that this change was not applied to the other examples. He pointed out that if the other examples were evened out in the front of the lots, most of the concerns would have disappeared. He stated that the only reason it was not applied to the other examples was for a lack of time.

Sallie Fahey stated that in the Shawnee Ridge example all of the developer's goals were achieved except for the complaint that the lots were too big.

William Davis stated that the lots being too big were a concern and he did not find a way to overcome that. He said that if he were to slide the cul-de-sac in the opposite direction, it would defeat the purpose of making a more sellable lot. He stated that he could make all of the examples into a more sellable lot. He pointed out that 60' is a valid concern, but there should be some number less than 75' that could work.

Sallie Fahey agreed that 60' was too low and 75' was too wide. She said that there should be some middle ground.

William Davis said that this was going in the right direction.

Sallie Fahey stated that this would not solve the problem of cul-de-sac lots being large, because this would just make them larger.

William Davis stated that was why additional lots would not be added, which was staff's concern.

Sallie Fahey stated that was correct, and only in a very long cul-de-sac would that be a possibility. She said that she does not want the lots to be so narrow that they look different from everything else in the development.

William Davis reiterated that these are minimums and different developers would use different frontages.

Sallie Fahey asked if the Committee would allow the staff and developers to work on a number between 75' and 60'. She asked William Davis if he would work on a few more examples, using different numbers.

Steve Schreckengast asked if the old way allowed a certain percentage of lots to be less than the maximum.

Sallie Fahey stated that rule was never in the current UZO, it was only in the old one that specific provision was discontinued in the late 1980's or early 1990's. She explained that the old rule allowed 10% of the lots to be under 20% under the square footage. She stated that someone questioned that rule and the question was brought to legal counsel, who determined that it should also include width. She said that it was the broadening of the interpretation by legal counsel that led to the changes.

Steve Schreckengast asked if that ruling was abused.

Sallie Fahey stated that in her opinion it was abused.

Steve Schreckengast asked if it was intended to be on cul-de-sacs only.

Sallie Fahey replied that it could be anywhere. She stated that the abuse was due to not using it where it made sense on the cul-de-sacs, but used on normal rectangular lots.

Steve Schreckengast mentioned the concern that the house would look different. He pointed out that there are places where the front door of one house looks out onto the back door of the house in front of them.

Sallie Fahey stated that there would still be some of that as the development transitions into the cul-de-sac. She pointed out that could not be totally avoided in any cul-de-sac.

Robert Bowman stated that cul-de-sacs were fine for living in the south, but did not make sense in areas that have a lot of snow. He said that cul-de-sacs do not allow any place to put the snow, which makes it very difficult to plow. He stated that in his opinion, he does not approve of cul-de-sacs. He said that the issue of taking care of cul-de-sacs in the winter should be looked into. He suggested reserving a very small lot to push the snow.

Sallie Fahey suggested checking with the City of Lafayette to find out how they handle snow in cul-de-sacs. She said that in larger cul-de-sacs the tendency is to park face in rather than parallel. She said that a cul-de-sac should be large enough to accommodate emergency vehicles, but small enough not to create a parking lot on the end.

Opal Kuhl pointed out her property was just like one of the examples and explained that the snow is always pushed to one property or another. She said that it might be a small inconvenience, but eventually it melts. She mentioned that they like the cul-de-sac, and parking issues are usually worked out among the neighbors. She said that her street is older so it is set back farther, but she is in favor of the smaller setbacks. She stated that the winter cul-de-sac issues are outweighed by the advantage of not having through traffic. She reiterated that the snow is not an issue in her cul-de-sac.

Sallie Fahey asked if the snow emergency ordinance apply only on main streets, or everywhere.

Opal Kuhl stated that it only applies to main streets. She said that sometimes the snow is pushed to the middle of the cul-de-sac and the cars drive a circle around it. She stated that it sometimes depends on the plow driver.

Mark Hermodson stated that he could see Robert Bowman's point, but that there was a lot of area in the County that could only be developed by using a cul-de-sac. He mentioned that the staff wanted to have one more work session with the developers in order to discuss other options. He asked if there was consensus on the rest of the items on the handout chart.

Steve Schreckengast asked if there was a consensus on the R1, R1A, R1B and R1U.

Mark Hermodson stated that what is on the chart was essentially what the builders had proposed.

Steve Schreckengast asked for clarification on the R1B proposal.

Mark Hermodson reiterated that already a 6' sideyard allows 8' between overhangs. He explained that a 5' side yard would allow no more than a 1' overhang and maintain the 8' separation.

Steve Schreckengast stated that if the developers liked the changes, he would be in agreement.

Gary Schroeder and Carl Griffin agreed.

Margy Deverall stated that the only issue not on the proposal was vegetative cover. She said that she did not know whether that meant the developers did not want to change that.

Sallie Fahey explained that if the percentage of lot coverage was increased then the vegetative cover would have to be decreased. She said that if lot coverage went up 5% then vegetative cover would have to be reduced by 5%. She stated that would be the easiest way to calculate it.

Carl Griffin asked if it would be as simple as dropping the vegetative percent, since some house and lots would be at the bare minimum.

Sallie Fahey explained that 40% of 4,000 would be 1,600 square feet.

Mark Hermodson stated that if it were a square house it would be 40x40. He pointed out that there would be a 40' frontage, so it could not be a square house.

Steve Schreckengast pointed out that most of the house in this scenario would be two-story.

Sallie Fahey agreed that most of the R1U lots would be two-story. She explained that if the 1,600 were subtracted from the 4,000 that would leave 2,400 square feet to apportion between the green space and the patios and driveways.

Carl Griffin stated that at 25% there would be 1,000 for vegetation.

Sallie Fahey agreed and stated that that would leave 1,400 for other things. She commented that was pretty generous. She asked if there was agreement on that.

William Davis stated that the developers did not really review that issue.

Steve Schreckengast asked if the City really calculated that very often. He mentioned that he has never seen a variance for that.

Opal Kuhl stated that they calculate that on all permits.

Mark Hermodson stated that the BZA sees variances from West Lafayette all the time on that.

Steve Schreckengast stated that the Lafayette BZA sees lot coverage variances, but not vegetation variances.

Sallie Fahey stated that it is easy to meet and therefore does not need many variances.

Steve Clevenger mentioned that if there is an arc in the road, what would prevent a lot from having 60' in the front and 65' in the back. He asked if there was some minimum radius or angle.

Sallie Fahey stated that she would like to see this only on cul-de-sacs and not on curved roads.

William Davis said that the developers agreed it was not needed on curves.

Mark Hermodson stated that this topic would be discussed at the next meeting.

Sallie Fahey stated that the staff should have a final proposal ready at that time.

III. EMERGENCY SIRENS IN SUBDIVISIONS: A report from the April Administrative Officer's Meeting

Sallie Fahey stated that there have been requests to look at getting more sirens placed throughout the county. She said that Steve Wettschurack was invited to the last Administrative Officers meeting. She stated that Mr. Wettschurack provided two example ordinances from Tinley Park, IL and South Bend, IN. She explained that the South Bend ordinance required "developers of new major subdivisions, of 10 or more lots, where the EMS has determined there is a lack of coverage, is required to furnish and install the siren". She mentioned that to install a siren it would be \$12,500, and for only 10 lots, that was pretty steep because the siren would cover a lot more area than the 10 lots. She reviewed the Tinley Park ordinance. She explained that this ordinance

attached a surcharge to the building permits. She pointed out that in this example, only new homes would be charged and existing homes would get the siren for free and how long would it be until enough was collected to put the siren in. She stated that the result of the conversation was that Mr. Wettschurack was going to look for some more ordinance examples from Indiana. She said that there was a consensus at the Administrative Officers meeting that there should be a map showing how to get coverage for the rest of the county in the most efficient way possible and not just a map of where existing sirens are. She stated that the company that provides the sirens would be more than happy to make such a map. She informed the Committee that this discussion would be continued at the May Administrative Officers meeting.

Mark Hermodson asked what kind of radius a siren reached.

Sallie Fahey stated that there were variations in the radii. She said that it was at least a mile.

Opal Kuhl stated that to her recollection, the two radiuses were 1 and 3 miles.

Mark Hermodson stated that if it were that big of an area, why not talk about user fees.

Sallie Fahey said that Mr. Wettschurack claims that he only has enough money for 2 sirens a year.

Steve Schreckengast asked where Mr. Wettschurack received his funding.

Sallie Fahey said that she thought it came from the General Fund and did not have a special budget. She stated that there are 62 existing sirens and 4 new locations going up this year. She said that regardless of how the siren is initially paid for, once it is installed Emergency Management must pay for the insurance and take care of maintenance. She stated that the \$12,500 fee includes Cinergy and an electrician installation fees. She mentioned that the biggest problem has been getting new sirens into existing developments and she used Stonehenge as an example. She pointed out that in the past sirens have been placed on utility poles, however in new subdivisions everything is required to be underground but it would be easy to reserve a 4x4 square easement for a pole.

Derrin Sorenson PO Box 6026, Lafayette, IN, asked why this was being discussed for subdivisions, when it should be discussed for schools and fire stations. He said that any school has enough space to reserve a 4x4 square. He stressed that this was a public service, public money and public grounds.

Sallie Fahey stated that the County Commissioners asked the Area Plan Commission to look into this. She agreed that the logical place for sirens is public facilities.

Mark Hermodson stated that this was a very small amount of money from a County budget perspective. He pointed out that there was no fair way to charge user fees.

Sallie Fahey agreed. She said that the only truly fair way was to assess everyone on his or her taxes, just like the bus company.

Steve Schreckengast stated that he would like information from Mr. Wettschurack on how many new sirens are needed right now.

Sallie Fahey stated that is what they were expecting to get at the next Administrative Officers meeting. She mentioned that there seems to be a lot of overlapping coverage. She explained that they tried to create a wall of coverage along the river in order to cover both sides. She said that one question might be how efficient it would be to relocate a siren.

Carl Griffin asked if it would be possible to put in our recommendation that all avenues should be pursued, but keeping this on public sites.

Mark Hermodson stated that there is no prohibition on this.

IV. CITIZEN COMMENTS

None

V. ADJOURNMENT

Carl Griffin moved to adjourn the meeting. Gary Schroeder seconded and Mark Hermodson adjourned the meeting

Sallie Fahey stated that the next meeting would have pretty much the same agenda.

Mark Hermodson thanked the developers for all their work on these issues.

Respectfully submitted,



Michelle D'Andrea
Recording Secretary

Reviewed by,



Sallie Dell Fahey
Executive Director